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19

20 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

21 ROBERT BOSCH LLC,

22 Plaintiff,

23 v.

24 ADM 21 CO., LTD.; ADM USA; and  
ADM NORTH AMERICA,

25 Defendants.

26 Case No. 2:10-cv-01930-RLH-LRL

27 **FIRST AMENDED COMPLAINT**

**DEMAND FOR JURY TRIAL**

28 Plaintiff Robert Bosch LLC (“Plaintiff”), through its attorneys, for its first amended  
29 complaint against Defendant ADM21 Co., Ltd., Defendant ADM USA and Defendant ADM  
30 North America (collectively, “Defendants”), avers as follows:

31 1. This action arises under the patent laws of the United States, Title 35 of the  
32 United States Code (for example, 35 U.S.C. §§ 271, 281, 283, 284, and 285) as hereinafter  
33 more fully appears. This Court has jurisdiction over the subject matter of the action pursuant  
34 to 28 U.S.C. §§ 1331 and 1338.

1           2. On February 25, 2003, United States Letters Patent No. 6,523,218 (attached as  
 2 Exhibit A) were duly and legally issued for an invention in a wiper blade. Plaintiff is the  
 3 owner of those Letters Patent.

4           3. Defendants have infringed and still are infringing those Letters Patent directly  
 5 and indirectly by making, importing, offering for sale, using, and selling wiper blades  
 6 embodying the patented invention, such as the XF4 wiper blade products, and will continue to  
 7 do so unless enjoined by this Court.

8           4. On April 29, 2003, United States Letters Patent No. 6,553,607 ("the '607  
 9 patent") (attached as Exhibit B) were duly and legally issued for an invention in a wiper  
 10 blade. Plaintiff is the owner of those Letters Patent.

11          5. Defendants have infringed and still are infringing those Letters Patent  
 12 indirectly by making, importing, offering for sale, using, and selling the XF4 wiper blade  
 13 products with connectors specifically adapted to couple the XF4 wiper blade products to  
 14 wiper arms such as the "side lock" ("side pin") wiper arm depicted in Exhibit B-1, and will  
 15 continue to do so unless enjoined by this Court.

16          6. Defendants have known from at least as early as the date of the service of the  
 17 Complaint (D.I. 12, 13) that the XF4 products, when used with "side lock" wiper arms,  
 18 directly infringe the '607 patent.

19          7. On information and belief, Defendants instruct customers to infringe by  
 20 advertising the infringing use on their website and including installation instructions with  
 21 XF4 wiper blades, which show how to assemble the wiper blade with the connector to fit the  
 22 "side lock" wiper arm. *See Exhibit B-1 attached hereto.*

23          8. On September 2, 2003, United States Letters Patent No. 6,611,988 (attached as  
 24 Exhibit C) were duly and legally issued for an invention in a wiper blade. Plaintiff is the  
 25 owner of those Letters Patent.

26          9. Defendants have infringed and still are infringing those Letters Patent directly  
 27 and indirectly by making, importing, offering for sale, using, and selling wiper blades

1 embodying the patented invention, such as the XF4 wiper blade products, and will continue to  
2 do so unless enjoined by this Court.

3 10. On January 4, 2005, United States Letters Patent No. 6,836,926 (attached as  
4 Exhibit D) were duly and legally issued for an invention in a wiper blade. Plaintiff is the  
5 owner of those Letters Patent.

6 11. Defendants have infringed and still are infringing those Letters Patent directly  
7 and indirectly by making, importing, offering for sale, using, and selling wiper blades  
8 embodying the patented invention, such as the XF4 wiper blade products, and will continue to  
9 do so unless enjoined by this Court.

10 12. On September 20, 2005, United States Letters Patent No. 6,944,905 (attached  
11 as Exhibit E) were duly and legally issued for an invention in a wiper blade. Plaintiff is the  
12 owner of those Letters Patent.

13 13. Defendants have infringed and still are infringing those Letters Patent directly  
14 and indirectly by making, importing, offering for sale, using, and selling wiper blades  
15 embodying the patented invention, such as the XF4 wiper blade products, and will continue to  
16 do so unless enjoined by this Court.

17 14. On December 13, 2005, United States Letters Patent No. 6,973,698 (attached  
18 as Exhibit F) were duly and legally issued for an invention in a wiper blade. Plaintiff is the  
19 owner of those Letters Patent.

20 15. Defendants have infringed and still are infringing those Letters Patent directly  
21 and indirectly by making, importing, offering for sale, using, and selling wiper blades  
22 embodying the patented invention, such as the XF4 wiper blade products, and will continue to  
23 do so unless enjoined by this Court.

24 16. Defendants' infringement has caused and will continue to cause damage and  
25 irreparable harm to Bosch until enjoined by this Court.

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1 WHEREFORE, Plaintiff demands an injunction against continued infringement, an  
2 award of damages under at least 35 U.S.C. § 284, including both compensatory damages and  
3 treble damages for willful infringement, an assessment of interest and costs against  
4 Defendants as well as attorneys' fees as provided by 35 U.S.C. § 285, and such other relief as  
5 the Court may find just and proper.

6

7 **JURY DEMAND**

8 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands a trial  
9 by jury as to all issues so triable.

10  
11 Dated this 13th day of July, 2011.

12 By: /s/ Jennifer L. Braster

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28 *Attorneys for Robert Bosch, LLC*

## **CERTIFICATE OF SERVICE**

I, Jennifer Braster, hereby certify that on July 13, 2011, a true and correct copy of the within document PLAINTIFF ROBERT BOSCH LLC'S FIRST AMENDED COMPLAINT was caused to be served on the following counsel of record, in the manner indicated below:

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/s/ Jennifer L. Braster